

FORM D3

PERFORMANCE BOND

SURETY COMPANY

This is a sample form. The form submitted to the Planning Board shall be prepared as an original document. The Developer should not attempt to "fill in the blanks" on this copy.

Know all men by these presents that

_____, as Principal, and
_____ a corporation duly organized and existing under the laws of the State of _____ and having a usual place of business in _____, as Surety, hereby bind and obligate themselves and their respective executors, administrators, devisees, heirs, successors and assigns, jointly and severally, to the Town of Lexington, a Massachusetts municipal corporation, in the sum of: _____ dollars.

The condition of this obligation is that if the Principal fully and satisfactorily observes and performs in the manner and in the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application signed by the Principal and dated _____, under which approval of a definitive plan of a certain subdivision entitled

_____ by
_____ dated _____, has been granted by the Planning Board of the Town, with such modifications or conditions, if any, as have been imposed by the Town acting through its Planning Board or Board of Health, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the town to satisfy and complete the Principal's obligation.

The Surety hereby assents to any and all changes and modifications that may be made of the aforesaid covenants, conditions, agreements terms and provisions to be observed and performed by the Principal, and waives notice thereof.

In witness whereof we have hereunto set our hands and seals this _____ day of _____, 20__.

Principal

By:

Attorney-in-Fact

Attorney's Name Typed

Address of Attorney

Title